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WITH THE
N.J. BOARD OF DENTISTRY
ON 2-16-95 cm.

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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC
SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY
DOCKET NO.

IN THE MATTER OF)

EDWIN A. MILLER, D.D.S.)

LICENSED TO PRACTICE DENTISTRY)
IN THE STATE OF NEW JERSEY)

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Dentistry ("Board") upon receipt of a patient complaint from Tamara Hood concerning dental treatment performed by the respondent consisting, in pertinent part, of a clinical examination and radiographs on January 3, 1992, a diagnosis of caries requiring a total of fourteen fillings, and three of these fillings performed on February 1, 1992. The Board reviewed the entire record in this matter consisting of the patient charts, radiographs, a subsequent treating dentist's records, the Board's consultant's report, and further information acquired at an investigative inquiry attended by the respondent with his counsel on October 19, 1994. This review disclosed to the Board that this patient, based on clinical and radiographic evaluation, was caries-free and periodontally healthy. It also appears to the Board that the restoration

performed on tooth #3 demonstrated gross overhanging margins on the mesial and distal surfaces of that tooth.

It appearing that the respondent desires to resolve this matter without recourse to formal proceedings and for good cause shown;

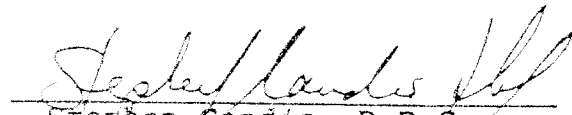
IT IS ON THIS 6th DAY OF FEBRUARY, 1995,

HEREBY ORDERED AND AGREED THAT:

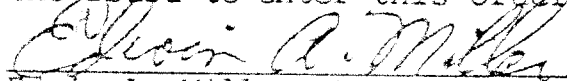
1. Respondent shall make restitution to the patient by submitting a certified check or money order made payable to Tamara Hood in the amount of \$105.00 to the State Board of Dentistry at 124 Halsey Street, Sixth Floor, Newark, New Jersey 07102, no later than the first day of the month following the entry date of this Order. Respondent further shall forgive any outstanding balance remaining on this patient's account.
2. Respondent shall successfully complete 21 hours of continuing education in diagnosis and treatment planning including courses pertaining to the interpretation of radiographs. These courses shall be approved by the Board in writing prior to attendance utilizing the attached Pre-Approval Sheet, and the courses must be completed no later than June 30, 1995. Respondent also shall be required to complete the attached Continuing Education Report and Proof of Attendance as proof of successful completion of the required course work. The attached forms are made a part of the within Order, and a separate form is to be used for each course. Said continuing education ordered herein shall be in addition to, and not a part of, the mandatory continuing education currently required for biennial registration of dentists.

3. Respondent shall be assessed a civil penalty in the amount of \$2,500.00 for (1) the diagnosis and treatment planning of more than fifty surfaces of needed restoration in a caries-free and periodontally healthy patient; and (2) the performance of a silver amalgam restoration with gross overhanging margins on the mesial and distal of tooth #3. Said civil penalty shall be submitted by certified check or money order made payable to the State of New Jersey and submitted to the Board of Dentistry no later than the first day of the month following the entry date of this Order.

4. Respondent shall be and is hereby reprimanded for the over-diagnosis of a need for restorations in a patient who was caries-free and the performance of a clinically substandard restoration on tooth #3.


Stephen Candio, D.D.S.
President
State Board of Dentistry

I have read and understand
the within Order and agree
to be bound by its terms.
Consent is hereby given to
the Board to enter this Order.


Edwin A. Miller, D.D.S.